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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,921	08/15/2001	Steven Neil Tischler	010159	1134
7590 10/06/2005 WITHERS & KEYS, LLC P.O. BOX 71355 Marietta, GA 30007-1355			EXAMINER HASHEM, LISA	
			ART UNIT 2645	PAPER NUMBER

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/929,921	Applicant(s) TISCHER, STEVEN NEIL	
	Examiner Lisa Hashem	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

FINAL DETAILED ACTION

Claim Objections

1. Claims 30 and 34 are objected to because of the following informalities: The term 'hingedly' in claim 30 and the term 'demountably' in claim 34 are not spelled correctly as adjectives. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. The term "integral" in claim 20 is a relative term which renders the claim indefinite. The term "integral" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Appropriate action is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3-7, 10, 12-13, 15-18, 20-21, 23, 26-27, 28-30, and 34-37 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No. 6,307,511 by Ying et al, hereinafter Ying.

Regarding claim 1, Ying discloses a protector for a portable wireless communication device (Fig. 2, 10) that has a housing (Fig. 2, 12) and a keypad (Fig. 2, 22) and contains at least one signal processing circuit (col. 2, lines 30-34; col. 5, lines 22-24), said protector comprising: a cover pivotally attached to the housing such that said cover is pivotable from a first position wherein it covers the keypad to another position wherein the keypad is exposed; and a planar antenna attached to the exterior of both the cover and the housing where the planar antenna is capacitively coupled to the signal processing circuit (Fig. 2, 14; col. 2, lines 24-34; col. 3, lines 56-64; col. 4, line 24 – col. 5, line 40).

Regarding claim 3, the protector of claim 1, wherein Ying further discloses said antenna is laminated to said cover (Fig. 5, 14; col. 4, line 66 – col. 5, line 3).

Regarding claim 4, the protector of claim 3, wherein Ying further discloses said antenna is fabricated from a metal tape (electrically conductive material) (col. 2, lines 24-34; col. 4, line 24 – col. 5, line 40).

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Regarding claim 5, the protector of claim 4, wherein Ying further discloses said antenna is inherently fabricated from aluminum tape, wherein aluminum is a metal (col. 2, lines 24-34; col. 4, line 24 – col. 5, line 40).

Regarding claim 6, the protector of claim 1, wherein Ying further discloses said antenna comprises conductive particulate material (electrically conductive material) attached to said cover (col. 2, lines 24-34; col. 4, line 50 – col. 5, line 12).

Regarding claim 7, the protector of claim 6, wherein Ying further discloses said conductive particulate material is embedded in said cover (col. 2, lines 24-34; col. 4, line 50 – col. 5, line 12).

Regarding claim 10, the protector of claim 1, wherein Ying further discloses an overlay layer covering at least portion of said antenna (col. 2, lines 24-34; col. 4, line 50 – col. 5, line 12).

Regarding claim 12, the protector of claim 1, wherein Ying further discloses said antenna is embedded in said cover (col. 2, lines 24-34; col. 4, line 50 – col. 5, line 12).

Regarding claim 13, the protector of claim 12, wherein Ying further discloses said antenna comprises a metallic screen (electrically conductive material) (see Figure 5; col. 4, line 66 – col. 5, line 40).

Regarding claim 15, the protector of claim 1, wherein Ying further discloses the housing inherently has a first color and said cover has said first color (see Fig. 2; col. 3, lines 28-38).

Regarding claim 16, the protector of claim 1, wherein Ying further discloses said cover has indicia provided thereon (Fig. 5, 14; col. 4, line 66 – col. 5, line 3).

Regarding claim 17, the protector of claim 1, wherein Ying further discloses said cover only covers a portion of said keypad when said cover is in said first position (col. 3, lines 5-13 and lines 28-38).

Regarding claim 18, the protector of claim 1, wherein Ying further discloses a biaser between said cover and a portion of the housing (Fig. 2, 26).

Regarding claim 20, Ying discloses a portable wireless communication device (Fig. 2, 10), comprising: a housing (Fig. 2, 12); a keypad (Fig. 2, 22) supported on said housing; a cover removably attached to said housing, wherein the cover can be removed by hand (col. 3, lines 10-13); a means to bias the cover in an open position (col. 4, lines 24-38); and an antenna member integral to said cover (Fig. 2, 14; col. 3, lines 28-38 and lines 5-13).

Regarding claim 21, the portable wireless communication device of claim 20, wherein Ying further discloses said cover is pivotally attached to said housing (col. 3, lines 28-38).

Regarding claim 23, the portable wireless communication device of claim 20, wherein Ying further discloses said antenna is fabricated from a metallic tape (electrically conductive material) (col. 2, lines 24-34; col. 4, line 50 – col. 5, line 12).

Regarding claim 26, the portable wireless communication device of claim 20, wherein Ying further discloses said antenna member is embedded said cover (see Figures 4-7; col. 2, lines 24-34; col. 3, lines 56-64; col. 4, line 24 – col. 5, line 40).

Regarding claim 27, the portable wireless communication device of claim 26, wherein Ying further discloses said antenna comprises a metallic screen (electrically conductive material) (see Figure 5; col. 4, line 66 – col. 5, line 40).

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Regarding claim 28, Ying discloses a portable wireless communication device (Fig. 2, 10), comprising: a housing (Fig. 2, 12); signal-receiving circuitry inherently in said housing (radio circuitry); signal-transmitting circuitry inherently in said housing (radio circuitry); and an antenna movably attached to said housing and capacitively coupled to said signal-receiving circuitry and said signal-transmitting circuitry (see Figures 4-7; col. 2, lines 24-34; col. 3, lines 56-64; col. 4, line 24 – col. 5, line 40).

Regarding claim 29, the portable wireless communication device of claim 28, wherein Ying further discloses said antenna comprises a metallic tape (electrically conductive material) attached to a exterior portion of said housing adjacent to said signal-transmitting and said signal-receiving circuitry (Fig. 5; col. 4, line 66 – col. 5, line 12), said metallic tape further attached to a cover movably affixed to said housing (see Figure 3; col. 2, lines 24-34; col. 3, lines 56-64; col. 4, lines 24-49).

Regarding claim 30, the portable wireless communication device of claim 28, wherein Ying further discloses said cover is hingedly attached to said housing (Fig. 2, 14; col. 3, lines 5-13 and lines 28-38).

Regarding claim 34, Ying discloses a method of protecting at least a portion of portion of a keypad (Fig. 2, 22) supported in the housing (Fig. 2, 12) of a portable wireless communication device (Fig. 2, 10), said method comprising demountably securing by hand a cover to the housing such that the cover may be selectively pivoted from a first position wherein at least portion of the keypad is covered to another position wherein the at least a portion of the keypad is exposed (col. 3, lines 5-13 and lines 28-38).

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Regarding claim 35, the method of claim 34, wherein Ying further discloses the portable wireless communication device inherently has signal-transmitting circuitry and signal-receiving circuitry (radio circuitry) therein and wherein said method comprises enhancing an ability of the signal-receiving circuitry to receive signals and enhancing an ability of the signal transmitting circuitry to transmit signals (col. 2, lines 24-34; col. 3, lines 56-64; col. 4, lines 24-49).

Regarding claim 36, the method of claim 35, wherein Ying further discloses said enhancing comprises capacitively coupling an antenna to the signal-receiving circuitry and said signal-transmitting circuitry (col. 4, line 50 – col. 5, line 12).

Regarding claim 37, the method of claim 36, wherein Ying further discloses said antenna is coupled to the cover and to the housing (col. 4, line 50 – col. 5, line 12).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ying, as applied to claims 1 and 21 above, respectively, and in further view of U.S. Patent No. 5,933,772 by Wolff.

Regarding claim 2, the protector of claim 1, wherein Ying further discloses said cover is pivotally attached to the housing (Fig. 2, 14; col. 3, lines 5-13 and lines 28-38).

Wolff discloses a protector for a portable wireless communication device (see Abstract; Fig. 11) that has a housing (Fig. 11, P) and a coin (Fig. 11, Q), said protector comprising: a cover (Fig. 11, 60) attached to the housing such that said cover covers the coin (see Fig. 11). Wherein, Wolff further discloses said cover is attached to the housing by adhesive tape (col. 5, lines 43-67).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the protector of Ying to include a cover that is attached to the housing by adhesive tape as taught by Wolff. One of ordinary skill in the art would have been lead to make such a modification by since a cover provides protection can be simply attached to the housing by adhesive tape.

Regarding claim 22, please see the rejection of the protector in claim 2 above, to reject the device in claim 22.

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8. Claims 8, 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ying, as applied to claim 1 above, and in further view of U.S. Patent Application No. 2001/0012769 by Sirola et al, hereinafter Sirola.

Regarding claim 8, the protector of claim 1, wherein Ying does not disclose said cover is transparent (Fig. 2, 14).

Sirola discloses a protector for a portable wireless communication device (see Abstract) that has a housing (Fig. 1, 2) and an activation area (Fig. 2, 3a-3d), said protector comprising: a cover pivotally attached to the housing such that said cover is pivotable from a first position wherein it covers the activation area to another position wherein the activation area is exposed; and antenna attached to said housing (see Fig. 2). Wherein, Sirola further discloses said cover is transparent (section 0016, lines 3-40).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the protector of Ying to include a cover that is transparent as taught by Sirola. One of ordinary skill in the art would have been lead to make such a modification by since a transparent cover provides protection to the keypad and the keypad can be viewed through the cover when the cover is in said first position.

Regarding claim 9, the protector of claim 1, wherein Ying does not disclose said cover is translucent.

Sirola discloses a protector for a portable wireless communication device (see Abstract) that has a housing (Fig. 1, 2) and an activation area (Fig. 2, 3a-3d), said protector comprising: a cover pivotally attached to the housing such that said cover is pivotable from a first position wherein it covers the activation area to another position wherein the activation area is exposed;

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and antenna attached to said housing (see Fig. 2). Wherein, Sirola further discloses said cover is translucent (section 0021, lines 8-14).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the protector of Ying to include a cover that is translucent as taught by Sirola. One of ordinary skill in the art would have been lead to make such a modification by since a translucent cover provides protection to the keypad and the keypad can be partially viewed through the cover when the cover is in said first position.

Regarding claim 11, the protector of claim 10, wherein Ying further discloses said overlay layer covers at least a portion of said cover (Fig. 5, 14; col. 4, line 66 – col. 5, line 3).

Ying does not disclose said overlay layer is transparent.

Sirola discloses a protector for a portable wireless communication device (see Abstract) that has a housing (Fig. 1, 2) and an activation area (Fig. 2, 3a-3d), said protector comprising: a cover pivotally attached to the housing such that said cover is pivotable from a first position wherein it covers the activation area to another position wherein the activation area is exposed; and antenna attached to said housing (see Fig. 2). Wherein, Sirola further discloses an overlay layer covers at least a portion of said cover and is transparent (section 0016, lines 3-40).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the protector of Ying to include an overlay layer covers at least a portion of said cover and is transparent as taught by Sirola. One of ordinary skill in the art would have been lead to make such a modification since a transparent cover provides protection to the keypad and the keypad can be viewed through the cover when the cover is in said first position.

9. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ying, as applied to claim 1 above, and in further view of U.S. Patent No. 5,489,924 by Shima et al, hereinafter Shima.

Regarding claim 14, the protector of claim 1, wherein Ying further discloses said cover comprises a first cover (Fig. 2, 14).

Ying does not disclose said cover comprises a first cover and a second cover pivotally interconnected to said first cover.

Shima discloses a protector for a portable wireless communication device (Fig. 3) that has a housing (Fig. 3, 2) and a keypad (Fig. 3, 8), said protector comprising: a cover pivotally attached to the housing such that said cover is pivotable from a first position wherein it covers the keypad to another position wherein the keypad is exposed; and antenna attached to said cover (see Fig. 1 and Fig. 2; col. 2, line 64 - col. 3, line 6). Shima further discloses said cover comprises a first cover and a second cover pivotally interconnected to said first cover (col. 3, lines 7-16 and lines 41-55).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the protector of Ying to include said cover comprising a first cover and second cover as taught by Shima. One of ordinary skill in the art would have been lead to make such a modification by since the first cover and second cover can provide additional protection to said housing.

10. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ying, as applied to claim 1 above, and in further view of U.S. Patent No. 5,489,924 by Shima et al, hereinafter Shima.

Regarding claim 19, the protector of claim 1, wherein Ying further discloses said cover is not sized relative to the housing such that when the cover is pivoted to said another position, said cover supports the housing in an angular orientation on a surface (Fig. 2, 14).

Ying does not disclose said cover is sized relative to the housing.

Shima discloses a protector for a portable wireless communication device (Fig. 3) that has a housing (Fig. 3, 2) and a keypad (Fig. 3, 8), said protector comprising: a cover pivotally attached to the housing such that said cover is pivotable from a first position wherein it covers the keypad to another position wherein the keypad is exposed; and antenna attached to said cover (see Fig. 1 and Fig. 2; col. 2, line 64 - col. 3, line 6). Shima further discloses said cover is sized relative to the housing such that when the cover is pivoted to said another position, said cover supports the housing in an angular orientation on a surface (see Fig. 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the protector of Ying to include said cover is sized relative to the housing as taught by Shima. One of ordinary skill in the art would have been lead to make such a modification by since said cover can provide additional protection to said housing.

11. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ying, as applied to claim 21 above, and in further view of U.S. Patent Application No. 2001/0012769 by Sirola et al, hereinafter Sirola.

Regarding claim 24, please see the rejection of the protector in claim 8 above, to reject the device in claim 24.

12. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ying, as applied to claim 18 above, and in further view of U.S. Patent No. 6,240,930 by Yuhara.

Regarding claim 25, the portable wireless communication device of claim 18, wherein Ying further discloses said cover is pivotally attached to said housing by at least one hinge assembly (col. 3, lines 5-13 and lines 28-38; see Fig. 2, 26).

Ying does not disclose a hinge assembly each comprising at least one boss on said housing and at least one boss on said cover and a hinge pin.

Yuhara discloses a portable device or cosmetic case (Fig. 1; see Abstract), comprising: a housing (Fig. 1, 20); a cosmetic space supported on said housing (Fig. 1, 21); a cover movably attached to said housing (Fig. 1, 40). Yuhara further discloses said cover is pivotally attached to said housing by at least one hinge assembly (see Fig. 1; Fig. 1, 30) each comprising: at least one boss on said housing (Fig. 1, 31); at least one other boss on said cover (see Fig. 1, 32); and a hinge pin extending between said at least one boss and said at least one other boss (Fig. 1, 33; col. 4, line 40 – col. 5, line 30).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the device of Ying to include said hinge assembly comprising at least one boss on said housing and at least one boss on said cover and a hinge pin as taught by Yuhara. One of ordinary skill in the art would have been lead to make such a modification by since the hinge assembly allows the cover to pivotally attach to the housing via a hinge pin extending between said at least one boss and said at least one other boss.

13. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ying, as applied to claim 20 above, and in further view of U.S. Patent No. 5,489,924 by Shima et al, hereinafter Shima.

Regarding claim 31, the portable wireless communication device of claim 21, wherein

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Ying further discloses said cover comprises a first cover (Fig. 2, 14).

Ying does not disclose said cover comprises a first cover and a second cover pivotally interconnected to said first cover.

Shima discloses a portable wireless communication device (Fig. 3), comprising: a housing (Fig. 3, 2); a keypad supported on said housing (Fig. 3, 8); a cover movably attached to said housing (Fig. 3, 4). Shima further discloses said cover comprises a first cover and a second cover pivotally interconnected to said first cover (col. 3, lines 7-16 and lines 41-55).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the device of Ying to include said cover comprising a first cover and second cover as taught by Shima. One of ordinary skill in the art would have been lead to make such a modification by since the first cover and second cover can provide additional protection to said housing.

14. Claims 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ying, in further view of Sirola.

Regarding claim 32, Ying discloses a portable wireless communication device (Fig. 2, 10), comprising: a housing member (Fig. 2, 12); a signal-receiving means inherently within said housing member (radio circuitry); a signal-transmitting means inherently within said housing member (radio circuitry) (col. 2, lines 24-34; col. 3, lines 56-64; col. 4, lines 24-49); means for activating said signal-transmitting means, said means for activating supported by said housing member; means for selectively covering an exposed portion of said means for activating; a means for biasing the means for selectively covering an exposed portion of said means for activating in an uncovered position; and a means for enhancing a transmission by said signal-

transmitting means and a reception by said, signal receiving means, said means for enhancing the transmission and reception being attached to said means for selectively covering and to the exterior of the housing member (col. 3, lines 5-13 and lines 28-38).

Ying does not disclose a means for transparently covering an exposed portion of said means for activating.

Sirola discloses a portable wireless communication device (see Abstract) that has a housing (Fig. 1, 2) comprising: a means for transparently covering an exposed portion of a means for activating (Fig. 2, 3a-3d); a means for biasing the means for transparently covering an exposed portion of said means for activating in an uncovered position; and a means for transparently covering and to the exterior of the housing member (see Fig. 2; section 0016, lines 1-42).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the portable wireless communication device of Ying to include a means for transparently covering an exposed portion of said means for activating as taught by Sirola. One of ordinary skill in the art would have been lead to make such a modification since a transparent cover provides protection to the activation means.

Regarding claim 33, the portable wireless communication device of claim 32, wherein Sirola further discloses said means for enhancing a reception and transmission comprises an antenna means coupled to said means for transparently covering and said housing member (see Fig. 2).

Response to Arguments

15. Applicant's arguments, see Amendment, filed 5-13-05, with respect to the 102(b) rejections of claims 1-37 under Exhibit A have been fully considered and are persuasive. Therefore, the rejection under Exhibit A is withdrawn.

16. The declaration under 37 CFR 1.132 filed 5-13-2005 is insufficient to overcome the rejection of: claim(s) 1-37 under Ying. The facts presented are not germane to the rejection at issue. The contents of Exhibit A do not disclose the claimed limitations in claims 1, 20, 28, 32, and 34.

In view of the foregoing, when all of the evidence is considered, the totality of the rebuttal evidence of nonobviousness fails to outweigh the evidence of obviousness.

17. Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection. Please see the rejections of claims 1-37 above.

18. Accordingly, this action is **FINAL**.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent No. 6,230,028 by Shirakawa discloses a portable wireless communication device comprising: a housing, a keypad supported on said housing, a cover removably attached to said housing, wherein the cover can be removed by hand; a means to bias the cover in an open position; and an antenna member integral to said cover

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20. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

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22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LH

lh

September 22, 2005


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600